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Attorney for Debtor

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

IN RE

SUN CHA URIEGAS

Debtor.

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CASE NO. 17-40573-ELM13

**DEBTOR'S OBJECTION TO TRUSTEE'S MODIFICATION OF
CHAPTER 13 PLAN AFTER CONFIRMATION**

TO THE HONORABLE U.S. BANKRUPTCY COURT:

COMES NOW Sun Cha Uriegas, (hereinafter referred to as "Debtor" whether singular or plural), in this her Objection to Trustee's Modification of Chapter 13 Plan After Confirmation, ("Modification") and in support thereof would respectfully show the Court as follows:

1. This case was commenced by the filing of a voluntary Chapter 13 petition on February 10, 2017. This Court has jurisdiction over this case pursuant to 28 U.S.C. §1334 and 11 U.S.C. §§ 541 and 542.

2. On or about April 16, 2019, the Trustee filed a Chapter 13 Plan After Confirmation to increase Debtor's unsecured creditor pool to \$184,608.00 based upon the draft joint 2018 Tax Return provided by Debtor and her non-filing spouse. Debtor states that the tax

return submitted to the Trustee is a preliminary rough draft and has not yet been filed with the Internal Revenue Service. Debtor and her spouse relocated to South Korea for the non-filing spouse's employment. Debtor and her spouse are required to file a South Korean tax return prior to filing their U.S. 2018 Tax Return. Debtor anticipates a joint tax liability for 2018 to the South Korean Government.

3. The Debtor denies that her Plan should be modified to increase Debtor's unsecured creditors pool to \$184,608.00. Debtor cannot afford a monthly plan payment proposed by the Trustee in the amount of \$5,769.00. Debtor's income and living expenses have changed due to a severe medical condition, relocation to South Korea, and marital separation from her spouse. Debtor's only income is \$900.00 received monthly from her spouse as support. Debtor's Amended Schedules I & J are attached hereto as "Exhibit A". Based upon Debtor's Amended Schedules I & J, an increase of Debtors' plan payment from \$2,800.00 to \$5,769.00 per month as proposed by the Trustee is not feasible at her current income level.

4. It is Debtor's intention to successfully complete her Chapter 13. Modification of her plan would eventually result in dismissal of Debtor's case as Debtor would not have the ability to afford a monthly Trustee payment in the amount of \$5,769.00 per month.

WHEREFORE, PREMISES CONSIDERED, the Debtor respectfully requests the Court to enter an order denying Trustee's Modification of Chapter 13 Plan After Confirmation (Increased Gross Income) and grant such other relief as may be appropriate under the circumstances of the case.

Dated: May 24, 2019

Respectfully submitted,

/s/Marilyn D. Garner
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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing pleading was sent via first class and/or electronic mail to the parties listed on the service list attached to the court filed original objection (if any) on May 24, 2019:

Tim Truman	Via ECF
Office of United States Trustee	Via ECF
Sun Cha Uriegas	Via Email

/s/ Marilyn D. Garner
Marilyn D. Garner